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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention

Combined seventh and eighth periodic reports of States parties due in 2010

Philippines*

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Introduction

Report preparation

1. The combined 7th and 8th report of the Philippines on the implementation of the CEDAW went through a participatory formulation process. Information and updates were gathered and consolidated from concerned government agencies on their implementation of the CEDAW and supplemented with information from relevant studies, and statistics on the situation of women and men in the country.

Highlights of developments since the combined 5th and 6th report

2. The State Party, immediately after it received the concluding comments on the 5th and 6th report in 2006, disseminated the information to various groups, conducted workshops with government agencies, and with support from the UN Women CEDAW Southeast Asia Project and the UN Joint Program on CEDAW, both duty bearers and claimholders from CSOs were trained to facilitate the implementation and monitoring of the Convention.

3. Taking its commitments seriously under the Convention, the State Party immediately worked on the passage of the Magna Carta of Women (MCW) that would become the national translation of CEDAW. The MCW, which was enacted in 2009, is a result of the vigorous and collaborative effort of the government, civil society groups, academe and other stakeholders.

4. Changes in the domestic political landscape influenced the support to gender related laws and policies. In addition to the MCW, the Responsible Parenthood and Reproductive Health (RPRH) Law was passed in 2012 after contentious debates at the Philippine Congress and despite the strong resistance posed by other sectors of the society. After the law was signed by the Philippine President, opponents took their case to the Supreme Court for a status quo ante order, delaying its implementation. However, on 8 April 2014, the Supreme Court declared the law 'not unconstitutional,' save for a few provisions.

5. Earlier, another health-related law, the Expanded Breastfeeding Promotion Act of 2009, was enacted to provide incentives to government and private health institutions with rooming-in and breastfeeding practices.

6. The period covered by this combined report also saw the passage of other domestic laws addressing other gender related concerns, such as the Expanded Anti-Trafficking in Persons Act which strengthened the Anti-Trafficking in Persons Act of 2003 and the Anti-Photo and Video Voyeurism Act of 2009. In 2013, the law declaring November 25 as the National Consciousness Day to Eliminate Violence against Women was enacted. It was during the same period that the 'Batas Kasambahay' or An Act Instituting Policies for the Protection and Welfare of Domestic Workers was issued, which safeguards the working conditions of household domestic workers, most of whom are women. Earlier, the "night work prohibition" provisions of the Labour Code of the Philippines were effectively repealed by enactment of the Act Allowing the Employment of Night Workers that allows women to work at night or be assigned to night duties.

7. Other equally important draft laws that will impact on women's rights are being considered by the legislative bodies of the State Party.

8. With inclusive economic growth as its goal, the incumbent Aquino Administration (2010-2016) included as one of its commitments the promotion of equal gender opportunity in all spheres of public policies and programs. Accordingly, the Philippine Development Plan (PDP) 2011-2016 integrated gender equality as a cross-cutting concern such that all but one of its chapters included specific provisions along this end. As a companion document to the PDP and guide to agencies in the implementation of the MCW, the Women's Empowerment, Development and Gender Equality Plan (Women's EDGE Plan) 2013-2016 was formulated, and is now being implemented through the gender and development planning process in national and local government.

9. The State Party, through the Philippine Commission on Women (PCW), continues its advocacy and monitoring of national and local development processes to implement the Convention. It also provides technical assistance to both national and local government units on gender mainstreaming and monitors programs through the gender and development planning and strengthened reporting process.

10. The State Party achieved good standing in global indicators on gender equality. It ranked 5th on the Global Gender Gap Index of the 2013 World Economic Forum and 12th of 86 countries in the 2012 Social Institutions and Gender Index of the Organization for Economic Cooperation and Development (OECD). On the other hand, out of the 186 countries included in the 2013 Human Development Report of the United Nations Development Programme (UNDP), the State Party ranked 114th in the Human Development Index and 77th in the Gender Inequality Index, which measures reproductive health, empowerment and labour participation.

11. Progress made on human development was severely eroded by the series of calamities that occurred in different parts of the country in the past several years. Typhoons Ketsana (Ondoy), Washi (Sendong), Bopha (Pablo), Haiyan (Yolanda), among others, and the strong earthquakes in Bohol and Western Visayas wrought incalculable losses to life, livelihood and property. In November 2013, Haiyan (Yolanda) alone affected more than 14 million women and men, and ravaged huge areas of Luzon and Visayas. It came just when the country as still reeling from the destructive impact of the October 2013 Bohol earthquake. These events overstrained Philippine resources in responding to the devastation of communities and family livelihood and adversely affected women's economic welfare, health and security and stability.

Major policy and program developments in response to the concluding comments of the CEDAW committee on the combined 5th and 6th Philippine periodic reports

On the status of the Convention in the national legal system

12. The MCW was signed into law on 14 August 2009 and is considered as the translation of the CEDAW into the nation's legal system. It defines discrimination against women accordance with Article 1 of the Convention and cites specific acts of discrimination by law, policy or practice including discrimination compounded by intersecting grounds.

13. The MCW embodies the various provisions of CEDAW and mandates the concerned duty bearers to carry out these provisions, including the Commission on Human Rights of the Philippines (CHRP) as the Gender Ombud responsible for investigating violations of the law. The law also provides the mechanisms for its

implementation as well as the penalties for noncompliance, and strengthens the PCW as the oversight agency to monitor its implementation.

14. The State Party has in its Constitution the incorporation clause mandating that generally accepted principles of international laws and treaties to which the State is a party, forms part of the law of the land. However, in cases where conflict between treaty obligations such as that in the CEDAW, the Philippine Supreme Court pointed out that "efforts should first be exerted to harmonize them, so as to give effect to both since it is to be presumed that municipal law was enacted with proper regard for the generally accepted principles of international law in observance of the Incorporation Clause. In a situation, however, where the conflict is irreconcilable and a choice has to be made between a rule of international law and municipal law, jurisprudence dictates that municipal law should be upheld by the municipal courts for the reason that such courts are organs of municipal law and are accordingly bound by it in all circumstances. The fact that international law has been made part of the law of the land does not pertain to or imply the primacy of international law over national or municipal law in the municipal sphere. The doctrine of incorporation, as applied in most countries, decrees that rules of international law are given equal standing with, but are not superior to, national legislative enactments. Accordingly, the principle *lex posterior derogat priori* takes effect — a treaty may repeal a statute and a statute may repeal a treaty. Where a treaty and a statute are on an equality, a new treaty prevails over an earlier statute, but it is also the case that a new statute prevails over a treaty."

15. The State Party, through the Department of Justice (DOJ), opined that while MCW translates CEDAW to national legislation giving it the force and effect of domestic law, the same does not render the CEDAW superior over legislative enactments; only on equal footing with local legislation.

On adoption of pending bills and systematic review of all legislation

16. The State Party continues its efforts to eliminate the remaining discriminatory provisions under the law and to introduce new laws to address emerging issues. Both the Philippine Senate and the House of Representatives are reviewing existing laws with provisions that are considered discriminatory to women. In relation to the Family Code, bills have been filed to amend provisions on marriage and family relations, such as those that give preference to the husband over that of the wife in case of disagreement in matters involving administration and enjoyment of community property or conjugal partnership of gains; on exercise of parental authority; and on exercise of legal guardianship over the property of the unemancipated common law child.

17. Similarly, in relation to the Revised Penal Code (RPC), bills have been filed to remove the distinction of the crimes of concubinage and adultery, that both be classified as crimes of sexual infidelity and must be equally penalized with *prision correccional*. Another bill seeks to redefine Article 202 of the RPC by shifting the criminal liability from the prostituted person/s to: (1) the person who induces, persuades, entices, compels, kidnaps, recruits, transports, organizes travel tours, uses information technology, advertises, for the purpose of exploiting a person/persons for prostitution, or derives profit or advantage from procuring, transporting, harbouring and prostituting any person, and (2) those who use prostituted persons for their personal gratification. A proposed amendment to the

Anti-Rape Law includes "absence or lack of consent" in the core definition of the crime of rape; removal of the forgiveness clause in marital rape; and, increasing the age of statutory rape from 12 to 16 years old.

18. In a parallel effort, the State Party, through the DOJ Criminal Code Committee, is conducting public hearings for Book II of the draft Philippine Code of Crimes to replace the RPC. Under Book II, relevant provisions being closely monitored pertain to the decriminalization of prostituted women.

The Women's Priority Legislative Agenda (WPLA)

19. To orchestrate its legislative advocacy for every Congressional term, the State Party, through the PCW, formulated a Women's Priority Legislative Agenda (WPLA) based on the MCW and the Philippine Plan for Gender-Responsive Development (PPGD). It also took into consideration the concluding comments of CEDAW. The matrix below shows the progress in the legislative advocacy for the passage or repeal of laws to correct discrimination against women in three congressional terms through the WPLA: 2007-2010; 2010-2013; 2013-2016.

2007-2010 (14th Congress)	*2010-2013 (15th Congress)*	*2013-2016 (16th Congress)*	*Status of Legislative Initiatives*
Amendments to Revised Penal Code (RPC): ♦ Anti-Prostitution Bill: Amendment to Article 202 on Vagrancy and Prostitutes	♦ Retained in the WPLA (makes procurers, pimps, and customers of women for sex criminally-liable instead of the women in prostitution)	♦ Retained in WPLA	(1) Article 202 on Prostitutes has been removed in the final draft of the new criminal code (Philippine Code of Crimes Book 2, Final draft as of 19 November 2013) along with the provision on Article 341 or the white slave trade. Bills on Anti-Prostitution have also been filed in both Houses of Congress (i.e., SBN 1655, 445, 1608 and HB 406)
♦ Sexual Infidelity Bill: Amendment to Articles 333 and 334 on Adultery and Concubinage	♦ Retained in the WPLA	♦ Retained in WPLA as marital infidelity bill	(2) Articles 333 and 334 on Adultery and Concubinage have been merged in the final draft of the new criminal code (Philippine Code of Crimes Book 2, Final draft as of 19 November 2013) through a proposed section on "sexual infidelity". Bills amending Articles 333 and 334 on Adultery and Concubinage have also been filed in the Senate and House of

2007-2010 (14th Congress)	*2010-2013 (15th Congress)*	*2013-2016 (16th Congress)*	*Status of Legislative Initiatives*
			Representatives (i.e., SBN 1771, 1543, and 1648)
	Additional agenda for 15th Congress: ♦ Amendment to Article 351 on Premature Marriages	♦ Retained in WPLA Plus: ♦ Amendment to Article 247 on Death or Physical Injuries Under Exceptional Circumstances	Articles 351 and 247 have been removed in the final draft of the new criminal code (Philippine Code of Crimes Book 2, Final draft as of 19 November 2013). Bills filed amending Articles 351 on Premature Marriages in the Senate and in the House of Representatives (i.e., SBN 1647, HB 1460 and 3346); and on Article 247 on Death or Physical Injuries Under Exceptional Circumstances (i.e., HB 1451).
♦ Domestic Workers' Rights or the Kasambahay Bill	♦ PASSED in 2013 as RA 10361		
♦ Reproductive Health Bill	♦ PASSED in 2013 as RA 10354 but issued a status quo ante order by the Supreme Court		
♦ Local Sectoral Representation Bill	♦ Retained in the WPLA	Not included in 16th WPLA	
♦ Magna Carta of Women Bill (PASSED in 2009 as RA 9710)	Implementing Rules and Regulations of RA 9710 approved in 2010		
	♦ Amendment and repeal of provisions of the New Family Code favouring the decision of husband or father in case of disagreement and other matters	♦ Retained in WPLA Plus: ♦ Repeated physical abuse as a ground for legal separation	(3) Bills filed in the Senate and House of Representatives to amend Article 14, 211 and 225 of the Family Code: i.e., SBN 2072, 1260, HB 85 and 1652 A bill is being proposed on repeated abuse as a ground for legal separation

2007-2010 (14th Congress)	*2010-2013 (15th Congress)*	*2013-2016 (16th Congress)*	*Status of Legislative Initiatives*
	♦ Amendment to the Anti-Rape Law (1997) provision that makes lack of consent the core definition of rape and removes the criminal liability of the rapist once the victim forgives him, and other provisions	♦ Retained in WPLA; and raises the age of statutory rape from 12 to 16	(4) Amendatory bills filed on the Anti-Rape Law of 1997 in the House (HB 812 and 2042, 2300,3638) and Senate (SB 1978, 1879, 1534, 1257 and 607)
	♦ Amendment to RA 7877 or the Anti-Sexual Harassment Law of 1995 to include peer harassment	♦ Retained in WPLA	(5) Amendatory bills on the Anti-Sexual Harassment Law: SBN 1436, 1076, 527, and HB 813
	♦ Magna Carta of Workers in the Informal Economy	♦ Retained in WPLA	(6) Bills filed in the Senate and House of Representatives: SBN 2015, 1153, 441 and HB 1110, 22295, 2307, 3400
	♦ Strengthening the Code of Muslim Personal Law, amending early and arranged marriages	Not included due to lack of common position among and strong support from the stakeholders; there is need for further consensus building and advocacy among concerned groups.	

Passage of landmark laws on women

20. As the matrix above shows, three of the important laws included in the WPLA were passed during the period:

(a) The MCW (RA 9710) as the national translation of the CEDAW;

(b) The Reproductive Health Law (RA 10354) or An Act Providing a National Policy on Responsible Parenthood and Reproductive Health which gives women access to reproductive health services and information and mandates government to allocate funds for the same; and

(c) The Batas Kasambahay (RA 10361) or An Act Instituting Policies for the Protection and Welfare of Domestic Workers, such as fixing the basic salaries, social protection, hours of work including day off, among others. Previous to the Kasambahay Law, the Philippine Government ratified ILO Convention 189 in 2011, which seeks to protect and promote the human rights of all domestic workers by ensuring fair terms of employment, decent working and living conditions that respect the privacy, equal treatment, normal hours of work, compensation, periods

of daily and weekly rest and paid annual leaves of workers in accordance with national laws, taking into account the special characteristics of domestic work.

21. While not in the WPLA, the following were also passed during the 15th Congress:

(a) An Act Allowing the Employment of Night Workers. Aside from expanding their employment options, the law also provides for mandatory facilities for night workers' safety and protects pregnant women from discrimination on account of their pregnancy;

(b) Expanded Anti-Trafficking in Persons Act (RA 10364), amending and strengthening the Anti-Trafficking in Persons Act of 2003; An Act Declaring November Twenty-Five of Every Year as "National Consciousness Day for the Elimination of Violence Against Women and Children" (RA 10398).

(c) The Anti-Photo and Video Voyeurism Act of 2009 (RA 9995) which makes it unlawful for a person to take a photo or a video of a sexual act or to "capture an image of a person's private parts under circumstances in which the person/s has/have a reasonable expectation of privacy." Prohibited acts under this law are to copy or reproduce, to sell or distribute and to publish or broadcast such coverage "notwithstanding that consent to record or take photo or video coverage of the same was given by such person/s;" and

(d) The Expanded Breastfeeding Promotion Act of 2009 (RA 10028), which provides incentives to all government and private health institutions with rooming in and breastfeeding practices, among others.

22. Despite the challenges in correcting discriminatory laws, some of which challenge traditional belief systems and patriarchal attitudes, the State Party sustains its efforts along this end and promotes a collaborative work, including gender sensitizing legislators, or at least their key technical staff responsible for research and drafting of bills, where appropriate, with concerned government institutions and with CSOs and other stakeholders.

On discriminatory provisions under the Code of Muslim Personal Laws

23. The MCW mandates that customary laws related to marital relations shall be respected, provided that they do not discriminate against women. In the Philippines, this primarily affects Presidential Decree 1038 or the Code of Muslim Personal Laws (CMPL) as it contains "discriminatory" provisions relating to early marriage, polygamy and divorce as well as unequal inheritance rights. For example, Article 27 of the CMPL states that no Muslim male can have more than one wife unless he can deal with them with equal companionship and just treatment as enjoined by Islamic law and only in exceptional cases. Some Moro women claim that men contracting subsequent marriages often disregard these conditions. Divorce is allowed under the CMPL, but while equal rights to divorce are given to both spouses by Articles 46-53, a Moro man is also allowed to divorce his wife for no reason at all; an option that is not available for women.

24. The State Party through the PCW organized a consultation among Muslim women and men to discuss ways to address the discriminatory provisions under the CMPL. The consultation surfaced the differing opinions of both women and men on said provisions, making it difficult to agree on measures acceptable to all. Women,

for instance do not necessarily question the provisions on early marriage, polygamy and divorce because they are provided under Qur'an. They also considered the CEDAW provision on equal rights with men in the dissolution of marriage contradictory to Islamic practice. On the other hand, while some Muslim women complain about their husband's polygamous practice, other women consider it an acceptable arrangement. With another wife catering to their husband's needs, it occasionally frees them from their marital responsibilities to do other things. Similarly, Muslim men and religious leaders contended that the CEDAW provisions on early marriage and polygamy do not apply to them. Moro women were reluctant to change the discriminatory provisions as regards inheritance because it is based on a Qur'anic verse.

25. The consultation proposed to intensify advocacy to change mindsets towards removing the discriminatory provisions and to explore other options for reform. The Autonomous Region of Muslim Mindanao (ARMM) GAD Code was passed in 2010 following provincial multisectoral consultations, including a consultation workshop with Muslim Religious Leaders, non-government organizations, women's groups, local government units, and members of the academe. The Regional GAD Code could be an important step in the revision of the CMPL. Short of removal, which was met with resistance, the agreed provision in the Code is "discouragement of marriage to a child defined as below 18 years of age."

26. The revision of the CMPL rests heavily on the campaign and advocacy of concerned Muslim groups and on the support of the ARMM Regional Legislative Assembly. Given the differing opinions or interpretations from the various sectors, it may take some time for any agreements on revisions that have to be made.

On strengthening the national machinery on women

27. The MCW expanded the mandate of the national women's machinery, from being a policy advisory body, to becoming the primary policy-making, coordinating, over-all monitoring and oversight body on women and gender equality concerns. It renamed the National Commission on the Role of Filipino Women to Philippine Commission on Women (PCW). The PCW is authorized to direct any government agency and instrumentality to report on the implementation of their responsibilities under the MCW.

28. Through the WPLA, PCW promotes support for the formulation of national laws, and with its partnership with government agencies, was able to push for executive policies to address gender issues such as the issuance of policies on improved access to productive resources and social protection of women micro entrepreneurs under the GREAT Women Project.

29. In 2013, the State Party, through the PCW finalized the Women's EDGE Plan 2013-2016 as a guide to agencies and local government units in implementing the MCW. The main vehicle for implementing and monitoring implementation of the MCW and the Women's EDGE Plan is through the preparation of the annual gender and development plan (GAD Plan) by government agencies and local government units.

30. The State Party, through the PCW, is organizing its technical assistance to government on gender mainstreaming around the sectoral themes of the Women's EDGE Plan. To support its technical assistance provision, PCW is expanding its

pool of gender trainers and technical assistance providers under the national gender resource program (NGRP). Alongside, it is piloting a system called the Gender Resource Pool Data Base (GRPD) through which gender trainers and technical assistance providers in gender mainstreaming may be accessed by government agencies and local government units.

31. To enable it to perform its expanded mandate, manage its work and enable it to cope with the increased demand for its services, the State Party, through the PCW, is engaging more short term consultancy-based staff, expanding its partnerships and support mechanisms and has been issuing policies and guidelines on gender mainstreaming to guide agencies and local government units beyond the reach of its technical assistance and monitoring capabilities.

On monitoring the Philippine Plan for Gender- Responsive Development (PPGD) and the use of the gender mainstreaming strategy

Gender mainstreaming in government

32. Section 36 of the MCW identifies gender mainstreaming as a strategy to implement its provisions, and further states that "all departments shall adopt gender mainstreaming as a strategy to promote women's human rights and eliminate gender discrimination in their systems, structures, policies, programs, processes, and procedures. Gender mainstreaming includes integrating the gender dimension in government policies, plans and programs, the creation and strengthening of GAD focal points to catalyse the process and the generation and maintenance of a GAD database for planning, programming and policy formulation.

33. Following this mandate, the gender dimension has been integrated in national, sectoral and local development plans, such as in the Philippine Development Plan for 2011-2016 and in sector specific plans such as: (a) Philippine National Action Plan on Women, Peace and Security (NAPWPS 2010-2016); (b) Philippine Labour and Employment Plan (PLEP 2011-2016); (c) Micro, Small and Medium and Enterprise Development Plan (MSMED 2011-2016); (d) Disaster Risk Reduction Plan; (e) Philippine Statistical Development Plan; and, (e) Second Philippine Human Rights Action Plan. The NAPWPS implements UN Security Council Resolutions No. 1325 and 1820, which hold States and individuals accountable for ensuring women's full participation in resolving conflict and post-conflict situations, and for recognizing, sustaining, and expanding women's role in peace-building processes. The PLEP examines the gender gap in labour force participation and the MSMED Plan aims to establish a gender responsive business environment for women entrepreneurs. For local government units, PCW has developed a guide and a tool (GeRL Ka Ba?) for gender responsive local development planning, as well as a guide in the formulation of local GAD codes.

34. Likewise, the Implementing Rules and Regulations (IRR) of the Reproductive Health and Responsible Parenthood Act (RPRH Law) and the Expanded Trafficking in Persons Act also integrated a strong gender dimension. The State Party issued Administrative Order 249 in December 2008 to further strengthen government policies, plans, and programs for the effective promotion and protection of human rights, and directed the national women's machinery to lead a gender-sensitive information campaign for the provision of gender-sensitive public services by local government units and other frontline government agencies involved in addressing violence against women.

35. Gender mainstreaming has also been introduced in the judiciary. The State Party through the Supreme Court's Committee on Gender Responsiveness in the Judiciary (CGRJ), in partnership with the Philippine Judicial Academy and the Philippine Judges Association, conducted a series of training programs to improve women's access to family courts. The program trained family court judges, clerks of court and interpreters, public prosecutors, public attorneys and representatives from concerned government agencies and civil society organizations involved in child and women service, on women's legal rights. In Congress, the House Committee on Women and Gender Equality and the Senate Committee on Women, Family Relations and Gender Equality lead the formulation and passage of gender related bills.

36. A home-grown gender mainstreaming tool called the Harmonized Gender and Development Guidelines for Project Development, Implementation, Monitoring and Evaluation (HGDG) was developed to ensure the gender responsiveness of ODA-assisted programs and to implement the MCW and RA 7192 (Women in Nation Building Act). The HGDG is being used to assess the integration of gender in government programs by both government and ODA partners. The 2009 monitoring on compliance reported that 37% of ODA funds were for gender responsive programs and projects or addressed gender issues. In 2013, 57% of ODA funds supported programs and projects that were gender responsive and gender sensitive.

Monitoring the PPGD

37. The Philippine Plan for Gender Responsive Development (PPGD) has consistently been promoted as a reference for government agencies and LGUs in formulating their policies, plans and programs, particularly for those that they include in their annual gender and development plans and budgets (GPBs). Two short term plans, also called "time-slices of the PPGD" — the Framework Plan for Women (2004-2010) and the Women's EDGE Plan (2013-2016) were formulated to facilitate its operationalization, and to guide PCW's monitoring of its implementation. The Women's EDGE Plan is now being recommended as a reference of government in preparing their annual GAD plans and budgets.

38. An assessment of the PPGD implementation was commissioned in 2009 with financial assistance from UN Women. The assessment aimed to (1) determine whether or not PPGD has served as an effective instrument in addressing the concerns of women for equality and development across six major spheres: individual, family, socio-cultural, economic, political and legal; (2) gauge the extent of implementation of the Plan's three basic goals that include: [*a*] establishment of mechanisms/structures for gender-responsive policy and program formulation and implementation, [*b*] special attention placed on women in special circumstances, and [*c*] continuing consciousness raising, advocacy and affirmative action; and (3) assess whether or not PPGD has contributed to the attainment of the international commitments of the country, particularly the Beijing Platform for Action (BPfA) and the CEDAW.

39. The findings relative to the three objectives were summarized as follows: (1) PPGD has *indirectly* served as an effective instrument in addressing the concerns of women for equality and development, in terms of attaining certain outcomes in six (6) key result areas (KRAs); (2) Enhanced mechanisms for gender responsive policy making and programming are in place such as interagency bodies and civil society organizations working together for gender advocacy; capacity building

measures were implemented; policies were enacted; and PCW has sustained its critical role in coordinating and orchestrating government efforts; in providing technical assistance and in developing tools for analysis and monitoring and evaluation. The report argues that the "key ingredients to the attainment of key PPGD targets during the past fifteen years are two-fold: shared vision and effective partnerships among all stakeholders, which resulted in the desired outputs and outcomes that contributed to the achievement of the PPGD goals"; and (3) PPGD as implemented, generally contributed to the attainment of the country's commitments to CEDAW and BPfA.

Strengthening partnerships and mechanisms

40. To address resource limitations particularly by the national machinery for the advancement of women, mechanisms of support for the promotion of equal rights of women and men are continuously being strengthened. One such mechanism is the gender and development focal point system (GFPS), now in place in many government agencies and local government units with the responsibility of leading and monitoring gender mainstreaming in their respective agencies. As defined in the Implementing Rules and Regulations of RA 7192 or the Women in Development and Nation-Building Act, GAD Focal Points "shall serve as the catalysts for gender responsive planning/programming in their respective agencies. They shall ensure that disseminated guidelines are appropriately utilized and revised to suit emerging developments. They shall ensure the conduct by appropriate staffs/units of periodic assessment of policies, programs/projects, procedures and circulars which are deemed discriminatory to gender concerns.

41. As of 2008, there are 189 GAD Focal Points established in national government agencies, their attached agencies, state universities and colleges, and government owned and controlled corporations. In 2010, a total of 44 provinces, 59 cities and 811 municipalities have functional GAD Focal Points. An enhanced policy on the creation and strengthening of GAD Focal Points was issued in 2011 and a survey on GFPs has been started based on the revised guidelines. GAD Focal Point assemblies have also been convened to update members on new guidelines and to agree on measures to strengthen the fulfilment of their functions.

42. The State Party recognizes the challenges that GAD Focal Points face in their gender mainstreaming work, such as the need to strengthen their gender competence, the need for stronger top level support for their work, and the fast turn-over or transfer of assignment of members of GAD focal point systems who have been trained but who are unable to transfer their skill to incoming officers, resulting to weak continuity or sustainability of GAD efforts and the constant need for training on basic GAD competencies for new officers. In response, the State Party plans and implements capacity development programs to strengthen the focal point members' competence and influence within their organization.

43. Gender mainstreaming has also been introduced in various government interagency committees to strengthen the gender responsiveness of policies and plans that such committees review and approve. Examples include the cabinet cluster on Human Development and Poverty Reduction (HDPR), the Interagency Council on Violence against Women and their Children (IACVAWC), the Interagency Council against Trafficking (IACAT), the Social Development Committee (SDC) of the NEDA) and a host of other national interagency

committees and project steering committees. (Please refer to *Annex 1. List of interagency committee membership of PCW*)

44. The statistics community is another source of strong support in gender mainstreaming as it pays particular attention to sex disaggregated data for gender analysis. The Interagency Committee on Gender Statistics (IACGS) has been guiding improvements in gender statistics in the country and monitoring the implementation of the GAD statistical action plans towards closing data gaps on the Philippines Core GAD Indicators (based on the BPfA) and ensuring the availability of required data and statistics for monitoring the progress on the status of Filipino women. In 2008, a methodology to measure the Gender and Development Index (GDI) at the local level was developed. This methodology generated the GDI of local government units.

45. The State Party's statistical system is currently being reorganized following a new law, RA 10625 or the Philippine Statistical Act of 2013, that merged the major statistical agencies engaged in primary data collection and compilation of secondary data into a new agency called the Philippine Statistics Authority, and placed it as an attached agency of the NEDA together with the Philippine Statistical Research and Training Institute. The IACGS is one of the 13 initially identified interagency committees on statistics. Such committees are tasked to coordinate and resolve agency and sectoral concerns on statistical matters, and serve as a forum for discussion of the issues raised by concerned producers, users and other stakeholders of sectoral and agency-specific statistics.

46. Another partner in promoting gender equality is the State Party's national human rights institution, the CHRP, which has been designated as the Gender and Development Ombud (Gender Ombud) under the MCW. The CHRP is tasked to formulate and implement programs and activities related to the promotion and protection of the human rights of women, including the investigation of complaints of discrimination and violations of their rights. It is also expected to establish guidelines and mechanisms to facilitate access of women to legal remedies and to enhance the protection and promotion of the rights of women, especially the marginalized; assist in the filing of cases against individuals, agencies, institutions, or establishments that violate the provisions; and recommend to the President of the Philippines or the Civil Service Commission (CSC) any possible administrative action based on non-compliance or failure to implement the provisions of the MCW.

On increasing public awareness on VAW

47. In 2006, Presidential Proclamation 1172 declared the period from November 25 to December 12 as the 18-Day Campaign to End VAW. Annually, the State Party has been organizing and conducting the 18-day campaign to drum up awareness on VAW and support for the implementation of VAW-related laws and the CEDAW. In 201, a new law was enacted, "Declaring November Twenty-Five of Every Year as "National Consciousness Day for the Elimination of Violence against Women and Children," links together significant dates such as November 25 (International Day to End VAW), December 1 (World AIDS Day), December 10 (International Human Rights Day), and December 12 (Anti-Trafficking Day).

48. Since 2004, attention has been given to popularizing the various anti-VAW laws, strengthening their implementation at the national and local levels, and building a network of male advocates against VAW as part of the worldwide

campaign to end VAW. The 2008-2009 campaign focused on intensified advocacy for local government units to provide comprehensive and gender-sensitive services to VAW victim-survivors. One activity conducted along this end was the *Search for Outstanding VAW-Responsive LGUs* which enabled competing local government units to clearly examine their policies, programs, and services on VAW and identify ways by which they can improve them, to better address VAW in their localities.

49. Emerging forms of violence against women, such as cyber pornography (ICT-related electronic or E-VAW), violence in armed conflict and during disasters and calamities, and against lesbians, bisexuals and transgender persons (LBTs) are now being recognized and publicly discussed.

Men as advocates against VAW (MOVE)

50. In 2006, the State Party, through the PCW, helped organize the *Men Opposed to VAW Everywhere* (MOVE), an organization of men who committed to be actively involved in the elimination of VAW. Members commit to speak out against VAW, examine, propose and formulate total male involvement and actions in the elimination of VAW; form partnerships and linkages with similar groups working on VAW, locally and internationally; organize and conduct researches, studies and fora in recognition of the social effects of VAW for policy and program development; and establish a resource network on VAW. MOVE members have since conducted orientations, lectures, advocacy activities on VAW in national government agencies and in LGUs down to the barangays (villages), particularly during 18-Day Campaign to End VAW and Women's Month Celebration. They have developed networks through representation in national and international conferences on VAW. As of February 2014, MOVE has 29 chapters and affiliates with more than 5,000 members all over the Philippines.

On amendment of the Anti-Rape Law and other VAW-related laws

51. One of the priority legislation on VAW is the amendment of the Anti-Rape Law. The bill has been and re-filed since the 14th Congress. The bill redefines the crime of rape by putting the element of "absence or lack of consent" in the core of its definition; enumerates six (6) instances where there is a presumption of lack of consent, which places upon the accused the burden of proof that the sexual intercourse with the victim is consensual; repeals the provision that pardons the rapist if he subsequently marries the victim or the rapist-husband if pardoned by the wife and raises the age of statutory rape from 12 to 16 years.

52. An anti-prostitution bill has also been filed which makes procurers, pimps, and customers of women for sex criminally-liable instead of the women in prostitution.

On enhancing data collection and conduct of research on VAW

53. In 2010, a National VAW Documentation System (NVAWDocS) was developed. This is a web-based documentation system to measure the extent of VAW cases in the Philippines. Once fully operational, the system has the capability to generate reports to determine the number of VAW victims and to monitor the services provided by the different service providers. It was piloted in 9 sites, with funding support from the United Nations Population Fund (UNFPA) and the Spanish Agency for International Development Cooperation (AECID), the result of which demonstrated that data could be integrated from the various sources and, in the

process, remove duplication. The information gathered from the piloting sites was useful in improving the system and the reporting flow. A province-wide implementation is presently being done with AECID support, after which the system will be endorsed for national implementation.

54. Some NGOs are currently doing or planning research on violence against women. Plan International Philippines reported a proposed study on incest, domestic violence and technology-based violence. Another NGO, Foundation for Media Alternatives is currently doing a research on ICT-related or electronic VAW.

On changing patriarchal attitudes and gender role stereotyping

55. The national women's month celebration in the Philippines has been one of the main vehicles for advocacy to change traditional attitudes and perceptions about women. The State Party, through concerned government agencies, including schools and local government units plan advocacy and other activities to drum up awareness and support for measures to address priority gender issues. For several years, the themes revolved around CEDAW themes such as violence against women and women economic empowerment and health. Subsequent years focused on popularizing the CEDAW and the MCW and its provisions, such as the impact of climate change and disasters on women. (*Please see Annex 2. Campaign photos and publications*)

56. The MCW provides that the "State shall ensure that gender stereotypes and images in existing educational materials and curricula are adequately and appropriately revised. Gender-sensitive language shall be used at all times. Capacity building on gender and development (GAD), peace and human rights education for teachers, and all those involved in the education sector shall be pursued toward this end." Along this end, gender related modules for integration in basic education curriculum have been developed and launched in 176 school divisions. This was complemented by gender sensitivity training of division and school level officials, organization of GAD focal points and integration of gender issues in classroom activities.

57. Higher education institutions firmed up a GAD Accord in support of the MCW and the implementation of its education related provisions. Earlier, a group of faculty from higher education institutions formed the Women's Studies Association of the Philippines (WSAP) to influence curricular offerings. Member institutions like the University of the Philippines System (UPS) and private colleges have integrated gender in their curriculum and CEDAW has been used as a reference in curricular reform including in public administration and governance courses. Gender courses have also been integrated in social science curricula and a Master's Degree in Women and Development has been a regular offering of the University of the Philippines College of Social Work and Community Development.

58. The State, through the Philippine National Police Academy (PNPA) and the Philippine Public Safety College (PPSC), has incorporated gender equality concerns and VAW in education and training courses for police trainees. In other fields, gender sensitive modules for vocational-technical classes have been developed and disseminated by the State Party's premier vocational-technical institution.

59. Muslim religious leaders, with the support of AECID and UNFPA, developed and disseminated a handbook on gender sensitive *khutbas* (guide in Friday sermons of Muslim religious leaders or MRLs). The *khutbas* provide more gender sensitive interpretation and explanation of selected Koranic texts.

Engaging the media in gender advocacy

60. The State Party established a Media and Gender Equality Committee (MGEC) in 2012 in line with Section 16 of MCW on the non-discriminatory and non-derogatory portrayal of women in media and film. MGEC produced the Code of Ethics for Media, Gender Equality Guidelines, and Media Guidelines to Protect Women against Discrimination in Media and Film which were launched in March 2013 for government media, self-regulatory bodies, schools of journalism, information and communication, and national federations and associations to make media more gender sensitive while respecting media's self-regulation. Memorandum Circular No. 48 was issued in 2013 "directing all concerned government agencies to adopt the gender equality guidelines in the development of their respective media policies and implementing programs in order to promote gender mainstreaming."

61. Government media institutions are active partners in advocacy against negative portrayal of women in media. A weekly interactive radio program, "Tinig Ng Kababaihan!" (Women's Voices!), has been on air since May 2009 to raise public awareness on government's efforts to promote gender equality and uphold women's human rights, including those guaranteed under CEDAW. IEC materials on anti-VAW related laws have been produced and disseminated through comics, pamphlets, brochures and flyers. Orientation/briefings on the Anti-Violence against Women and their Children Act have been conducted in selected local government units.

62. The State Party, through its regulatory agencies like the Optical Media Board (OMB) and the Movie and Television Review and Classification Board (MTRCB) has similarly strengthened its effort to fight women and child pornography through the confiscation of pornographic materials, especially sex videos. MTRCB has suspended television programs deemed to have presented women as sex objects. It recently required major television networks to undergo gender sensitivity seminars. The Tourism Promotions Board (TPB) directed its advertising agencies to produce marketing campaigns and promotional products that are gender sensitive and do not portray discrimination against either men or women in text or visual renditions. An agreement between the Education Department and the Federation of Broadcasters of the Philippines, and with the Philippine Association of National Advertisers, focused on jointly monitoring and handling complaints about "undesirable" TV programs and commercials that are harmful to children. Under this agreement, two dialogues were conducted to promote a child-friendly culture, correct the discriminatory portrayal of women and men in certain situations, incorporate valuable information into storylines, scenes and characters of top-rating television shows, especially those aired nationwide and worldwide through the networks' Filipino channels. At the local level, the Quezon City Council passed a resolution providing funds for a yearly Gender and Development (GAD) Award for the Most Gender-Sensitive Film submitted to the Metro Manila Film Festival.

63. A unique advocacy mechanism was the *Gender Justice Awards* launched in 2003 to recognize gender-sensitive judges and justices from the various courts, including the Sandiganbayan (anti-graft court), and sharia courts, who have rendered gender-sensitive decisions on VAW cases, penned their decisions using gender-fair language, exhibited gender-sensitivity during litigations, and speedily disposed of the cases at hand. Partners in this program were the University of the Philippines Centre for Women's Studies Foundation Inc. the UNIFEM (now UN Women), Zonta Club, and alternative law groups and women's groups. The search

and awarding was conducted in 2003 and in 2008. No Justice Award contest has been conducted since then.

Trafficking in Persons

64. The 13th Annual Trafficking in Persons (TIP) Report of the US State Department removed the Philippines in its watch-list and placed it in Tier 2 status. The Tier 2 status officially recognizes a country's significant efforts to adhere to the benchmarks prescribed by the US State Department in meeting the minimum standards. This achievement is a result of the increase in prosecution of suspected offenders and protection of witnesses in trafficking cases through Interagency Council against Trafficking (IACAT). The State Party, through the DOJ, has institutionalized a mechanism of cooperation between investigators and prosecutors which has led to more organized investigations and has increased the number of convictions of perpetrators. The significant steps taken to improve the identification, prosecution and dismissal from service of officials complicit in human trafficking activities, and to the two recorded criminal cases filed against government officials facilitating illegal departures of overseas workers also contributed to the improved status.

65. The State Party, through the Department of Foreign Affairs (DFA) is promoting the ratification of the Palermo Protocol on trafficking in persons and the full and effective implementation of the Global Plan of Action to Combat Trafficking in Persons. It is one of 20 countries that formed the Group of Friends United against Human Trafficking, an informal, voluntary, and open-ended association of UN Member States aimed at reinvigorating the global fight against trafficking in persons. It mainly promotes the implementation of the Global Plan of Action against Human Trafficking which engages critical stakeholders such as Governments, civil society, mass media, and private business. It is one of the two main co-sponsors of the annual resolution on trafficking in persons at the UN Human Rights Council.

66. The State Party has also been pushing for ASEAN stronger cooperation in combating trafficking in persons among ASEAN member states. There is an existing ASEAN Declaration against Trafficking in Persons Particularly Women and Children signed in 2004, and a Work Programme for the ASEAN Plan of Action to Combat Transnational Crime was implemented in 2010-2012 to further strengthen regional and international cooperation to combat and prevent trafficking in persons. The assessment of the results of this work plan is used as basis in the continuing discussion for the possible Convention on Trafficking in Persons and a Regional Plan of Action. In a joint statement issued by the ASEAN leaders in 2011, they agreed, among others, to task Ministers in charge of Transnational Crimes to accelerate the consideration of an ASEAN Convention on Trafficking in Persons.

On apprehension and prosecution of traffickers

67. The State Party has taken up steps to improve policies and strategies to detect and prosecute traffickers. A major policy step taken during the period was the amendment of the Anti-Trafficking in Persons Act of 2003 (RA 9208) through Republic Act 10364 or the Expanded Anti-Trafficking in Persons Act of 2012. Some of the salient provisions of the new law include the following:

(a) Expands the list of acts considered as promoting human trafficking such as recruitment in the guise of domestic or overseas employment for sexual exploitation, forced labour or involuntary debt bondage, destroying or tampering with evidence, influencing witnesses in an investigation, and using public office to impede an investigation or execute lawful orders;

(b) Stiffer penalties: Those guilty of trafficking can be sentenced to 6 to 40 years in prison and fines ranging from P50,000 to 5 million. Attempted trafficking is punishable by imprisonment of 15 years and a fine of P500,000 to P1 million;

(c) Public announcement of persons accused of human trafficking to warn possible victims and prohibition of the disclosure of the name and personal circumstances of victims of trafficking;

(d) Conduct of pre-departure counselling services for Filipinos in intermarriages, to prevent women in intermarriages from being victimized by human trafficking in the guise of marriage; and,

(e) Increase in funding for government agencies involved in the fight against human trafficking.

68. The State Party's Inter-Agency Council against Trafficking (IACAT), as a State mechanism, developed the following policies and guidelines to enhance the investigation and prosecution of trafficking cases where trafficking in persons occur: (a) Standard Operating Procedures for Task Forces Against Trafficking in Persons in International Airports; (b) Manual on Law Enforcement and Prosecution of Trafficking in Persons Cases; and (c) Model Local Ordinance against Trafficking in Persons.

69. To improve detection and apprehension, the IACAT established task forces to immediately intercept the operations of suspected trafficking syndicates at airports, land, and water transit points and to respond to trafficking cases. These include the Department of Justice Task Force on Trafficking, which is composed of especially trained prosecutors from the central office, and regional and city offices; and the Ninoy Aquino International Airport Task Force on Trafficking, which is made up of various law enforcers who monitor suspected incidents of trafficking in persons (TIP) at the airport, intercept undocumented passengers, provide assistance to returning TIP victims and help file TIP cases. A forensic document examination laboratory was also installed at the international airport to detect fraudulent travel papers.

70. In terms of convictions, as of January 2014, the State Party has had 118 convictions involving 137 convicted persons. There was a notable increase in convictions from 2005-2010 to 2010-2014 (January) as the figures below show:

Years	*No. of convictions*	*No. of persons convicted*
2005-2010 (up to June)	29	30
July 2010-Jan 2014	89	107
Total	**118**	**137**

Mechanisms and programs to improve response and support to victims

71. The IACAT is the State Party's mechanisms that coordinates and monitors the implementation efforts to combat trafficking in persons. Its establishment was

mandated by Republic Act No. 9208, or the "Anti-Trafficking in Persons Act of 2003". It is co-chaired by the Secretaries of the DOJ and the Department of Social Work and Development (DSWD) and includes other relevant agencies. It is present at the sub-national level through the regional councils called RIACAT-VAWC (regional) and LCAT-VAWC (local councils). These are present in the 17 regions of the country, and in 40 provinces, 38 cities, and 82 municipalities. These mechanisms aim to oversee the implementation of the trafficking and anti-VAW laws at the local level, and to increase the capacities of local partners to develop and implement gender-sensitive VAW policies and programs.

72. The Philippine Anti-Trafficking in Persons Database (PATD) addresses the need for the establishment of a system that systematically documents and keeps track of all referrals for the provision of appropriate services to trafficked persons, and the investigation and prosecution of violations under R.A. No. 9208. The PATD is the national database approved and adopted to ensure the timely, coordinated and effective response to cases of trafficking in persons. The PATD has three components: the recovery and reintegration services for trafficked victims; the investigation; and prosecution of trafficking in persons cases.

73. A Referral System on the Recovery and Reintegration of Trafficked Persons was also established. It is a system aimed at strengthening the referral network of agencies concerned with trafficked persons to establish a framework for intervention and services accorded to trafficked persons. It contains reporting and documentation forms to ensure uniformity of documents so as to avoid repetitive interviewing of victims. It also contains the baseline data for the National Recovery and Reintegration Database (NRRD), a database system for trafficked persons developed by the DSWD. It was developed primarily to systematize data collection, produce reports on the situation, trends and needs of victims and survivors of trafficking and improve service delivery. Also, it was designed as a monitoring mechanism to keep track of interventions and services provided to trafficked persons towards ensuring successful recovery and reintegration of victims-survivors. The NRRD is linked to the Philippine Anti-Trafficking Database (PATD).

74. Aside from the protective services, the State Party through the DSWD implements a comprehensive program that ensures adequate recovery and reintegration of services provided to trafficked persons — the Recovery and Reintegration Program for Trafficked Persons (RRPTP). Utilizing a multi-sectoral approach, it delivers a complete package of services addressing the psychosocial, social and economic needs of the clients. These services include awareness, skills and capabilities enhancement among victim-survivors' families and communities where they will be reintegrated. RRPTP is being implemented in 17 regions nationwide including the ARMM.

75. The State Party has served a total of **949** individual victims of trafficking in persons from the 17 regions in 2012 and provided fund augmentation support to 32 local government units which they used for the economic assistance and skills enhancement of victims-survivors as well as repairs of six (6) centres to enhance service delivery last year. In 2013, a total of **1,979** trafficking victims were assisted. Top three (3) of cases served through the program are forced labour, prostitution and sexual exploitation.

76. Specific for Overseas Filipinos (OFs) and Overseas Filipino Workers (OFWs) in distressed or in crisis situation, particularly the deportees and/ or repatriates who

are victims of trafficking and other forms of abuse, the State Party, through the DSWD, implements the International Social Welfare Services for Filipino Nationals (ISWSFN). The ISWSFN institutionalizes a system of deployment of Social Welfare Attaches or Social Work Interns to foreign countries with high rate of OFs and OFWs in order to provide comprehensive social welfare and protection services to the vulnerable and disadvantaged OFs and OFWs including their families.

Handling of victims

77. To improve the handling of victims, conduct of surveillance, rescue and collecting and monitoring data, the State Party, through the agencies under IACAT, have been implementing capacity building activities for service providers. A total of 104 trainings and seminars have been conducted for law enforcement officers (intelligence agents, immigration officers, police officers and even members of the Marine Corps), prosecutors, judges, social workers, labour officers, local government personnel, as well as members of non-government organizations and civil service organizations. Training has likewise been extended by the DOJ and the DFA to Foreign Service Officers (FSO) assigned in countries with significant number of trafficking incidents.

78. The State through the Supreme Court's Philippine Judicial Academy or PHILJA conducted mandatory training for law enforcement officials, prosecutors and judges on the anti-trafficking legislation. A total of 36 training-programs on RA 9208 have been conducted, including 24 batches of "Competency Enhancement Training for Family Court Judges and Court Personnel in Handling Child Abuse Cases and Trafficking Cases" from 2008- 2013. The program's objective is to improve the competencies of judges, prosecutors and court personnel of family courts and single-sala courts in handling sexual abuse and commercial sexual exploitation cases.

79. Guidelines for systematic and gender responsive handling of victims by concerned agencies have been developed by IACAT. These include the Manual on the Recovery and Reintegration of Victim-Survivors of Trafficking and two other guidelines in handling trafficked victims-for children and women, respectively. Another manual developed by DSWD, the Gender Responsive Case Management (GRCM) as a practice model, guiding principles, framework and tools (all-in-one), is used in improving case management of VAW victim-survivors.

80. The State Party, through the Department of Labour and Employment (DOLE) is using a Manual in Handling Complaints on Trafficking in Persons, Illegal Recruitment and Child Labour to organize and improve effectiveness of management of cases of trafficking in persons, illegal recruitment and child labour in the enforcement of provisions of the Labour Code and related laws: Special Protection of Children Against Child Abuse, Exploitation and Discrimination, Anti-Trafficking in Persons Act of 2003, and Migrant Workers Act. The Manual's step by step procedures guide DOLE offices in handling complaints in the Philippines and abroad.

81. Advocacy has always been part of the State Party's anti-trafficking efforts. The DOJ organized information caravans to disseminate information about the laws and to warn potential victims. Community-based education programs in selected local government units on the anti-trafficking and anti-VAW laws and other migration related concerns have also been conducted by the Commission on Filipinos Overseas (CFO) since 2007. CFO has chaired the Advocacy and Communications

Committee (ADVOCOM) of the IACAT since 2010 and conducts trainings for media practitioners to improve their writing of stories on anti-trafficking. As well, it manages the anti-trafficking hotline 1343 in partnership with a private entity.

Bilateral agreements with receiving countries for migrant workers

82. The State Party represents and safeguards the interests of overseas Filipino workers in countries of destination through bilateral labour agreements. Through the Philippine Overseas Employment Administration (POEA) it reviewed bilateral labour agreements (BLAs) of 20 destination countries of Filipino migrant workers in 2013. In May of the same year, it signed a labour agreement with the Kingdom of Saudi Arabia governing household workers benefits, such as a day off each week, while preventing their hiring costs from being deducted from their salary. This agreement also includes opening of bank accounts under the name of the worker by the employer for monitoring the payment of workers' salaries, a complaint mechanism was set up starting with a 24-hour hotline for dispute resolution, guaranteed a USD$400 monthly salary. Around 60,000 household service workers in Saudi Arabia stand to benefit from this agreement.

83. Labour agreements with other destination countries are also being explored to promote the welfare and dignity of OFWs. Cooperation and agreements with other government, non-government and civic organizations engaged in advocacy and services against illegal recruitment, human trafficking, and "reprocessing" or contract substitutions are established for the same purpose. Under these agreements, workers are enrolled for health, life insurance, housing and social security. Similar efforts are being done by the CFO, which establishes linkages and partnerships with Filipino communities to seek their help in ensuring the integration of the newly arrived migrants, such as those in North America, Europe, Australia and Asia. CFO also partners with relevant institutions to help marriage migrants with resettlement, adjustment and assimilation issues.

Measures to protect migrant workers

84. The State Party introduced amendments to the policy of sending household service workers (HSWs) overseas to curb the different forms of abuse and discrimination against them. The revised policy increased the minimum age requirement for HSWs from 18 to 23 years of age, ordered "no-placement fee" policy, imposed mandatory skills and language training, and set a minimum monthly wage standard of US$400 . Pursuant to this policy, the Philippine Overseas Labour Offices (POLO) and the Philippine Overseas Employment Administration (POEA) blacklist employers who have been found guilty of abuse and maltreatment against Filipino workers, or those who have committed contractual breaches, especially non-payment or underpayment of salaries.

85. As mandated in the amended Migrant Workers' Act (Republic Act 10022), Foreign Service Posts (FSPs) have certified countries under their jurisdictions either as compliant or non-compliant, or have/have not initiated positive and concrete measures to protect the rights of Filipino migrant workers. Based on the FSPs' certification, the POEA Governing Board either unilaterally approves or disallows the deployment of OFWs in a particular country. The certification process undergoes periodic reviews and those non-compliant countries are induced to conclude bilateral labour agreements.

86. The Migrant Workers Act (RA 8042) prescribes a "one country team" approach in addressing concerns of migrant workers. Deployed social welfare attaches, labour attachés and Foreign Service officers work together in selected countries, particularly where there is a high concentration of workers, to respond to social, employment and other concerns of OFWs. Migrant Workers and Other Overseas Filipinos Resource Centres (MWOOFRC) are set up and operated jointly by the Embassy/Consulate Coordinators with the Labour Attaches assigned in the area. DFA and DOLE jointly prepared a Joint Manual on Assistance to Nationals (ATN) Operations and Guidelines on the Management of the MWOOFRC to streamline and more efficiently manage ATN, including MWOOFRC operations. DFA and DOLE increased the deployment of female ATN and POLOs for more gender sensitive assistance to OFWs in distress. The DFA designates GAD focal persons in embassies and continues to train personnel on violence and sexual harassment issues and handling, for home and post assignments.

87. The State Party, through its Foreign Service Posts (FSPs), maintains shelters for female OFWs in distress, through which various consular, legal and humanitarian assistance are provided. For instance, FSPs assist those with medical problems by coordinating with hospitals on provision of required medical or financial assistance; in informing the next-of-kin on the OFW's hospitalization/medical condition and arranging their visits as requested; and in arranging medical repatriations, if needed.

88. The State Party establishes POLOs in countries with at least 10,000 Filipinos to provide employment counselling, mediate disputes between OFWs and employers, compel recruitment agencies to ensure that the terms and conditions of the employment contracts are adhered to, and conduct skills upgrading courses to OFWs, including financial literacy and other reintegration know-how. The State Party also assigns social welfare attachés in Kuala Lumpur, Malaysia and Riyadh, Saudi Arabia to provide counselling and welfare services. Additional social welfare attachés will be deployed to South Korea, United Arab Emirates, Qatar, Hong Kong, Kuwait, and in Beirut, Lebanon.

89. The State Party has allocated discretionary government funds for overseas Filipinos called the Assistance-to-Nationals (ATN) Fund, intended for repatriation, shipment of remains/cremation, temporary accommodation, food and basic supplies, medical evacuation, hospitalization, ATN missions, immigration penalties and related charges. A Legal Assistance Fund (LAF) has been set up for criminal cases and labour disputes, appeals of death penalty or life sentence, or in filing cases against erring/abusive employers and for rape victims. Rape victims are also encouraged to file cases against perpetrators with LAF to hire competent lawyers.

90. The State through the CFO, has set up a foreign sponsors' watch list and a database to keep track of (1) Filipinos married to foreigners; (2) foreign nationals and Filipinos included in the CFO watch list; (3) Filipinos who attended the guidance and counselling more than once; and, (4) foreign nationals who sponsored more than once, with or without derogatory records. It pays particular attention to multiple or serial sponsorships of Filipino women. The foreign sponsor's watch list and database forewarns fiancé(e)s, spouses and partners about the personality, marital history, record or past of the foreigner, to help her make a more informed decision and through which the State Party may be able to prevent trafficking in persons, slavery or domestic violence in the guise of and perpetrated through intermarriage.

On measures to suppress the exploitation of prostitution of women

91. Advocacy for the amendment of Article 202 of the RPC through the passage of a bill decriminalizing prostitution has started since the 14th Congress. Aside from the stand-alone bill, decriminalizing prostitution has also been proposed to be included in the revision of the RPC under its Book II. Ahead of the national law, some local government units have taken a more active stance in combating prostitution and its perpetrators by passing their own anti-prostitution ordinances, as some cities have done like Quezon, Naga, Davao and Olongapo.

Rehabilitation, social integration and economic empowerment programs for victims of prostitution

92. The State Party, through the DSWD, provides protective services to victims of abuse and exploitation including prostitution to enable their rehabilitation, social integration and economic empowerment, categorized into centre-based and community-based. Centre-based services are programs and services rendered in facilities. Primary centres are the *Haven*, a substitute home care for women victims of gender-based violence ages 18-59 years old; *Marillac Hills*, a child caring facility for female children in conflict with the law, and for abused and exploited girls below 18 years old; and, *Home/Centre for Girls*, a child-caring facility. Programs and services being provided by these facilities include treatment and rehabilitation, group life and home care, health and nutrition, productivity and skills training.

93. Community-based services include treatment and recovery and after care programs and services that involve the active participation of the community where they live. Services include a quick response team and provision of skills and capital assistance; and after care services facilitate reintegration of survivors and prevention of relapse of women and their children discharged from residential facilities.

94. The State Party, through the DSWD, supports 42 temporary shelters, temporary residency status, relief from deportation, access to legal, medical, and psychological services to victims of trafficking and violence. It has served a total of 118 victims of prostitution through its centre-based and community-based services in 2013.

On addressing the root causes of trafficking and migration through the support to entrepreneurship, expanding job opportunities and provision of social safety nets for the poor

95. The State Party is committed to the creation of more job opportunities within the country through inclusive economic development. One of the commitments of the incumbent President of the State Party is to be able to create more jobs at home, "so that working abroad will be a choice, rather than a necessity; and when its citizens do choose to become Overseas Filipino Workers, their welfare and protection will be the government's priority."

96. Reducing poverty and increasing employment as the means to inclusive economic growth are the objectives of the five-year Philippine Development Plan (PDP) 2011-2016, the country's blueprint for economic development. These objectives of the PDP are targeted through three broad strategies of high and sustained economic growth, equal access to development opportunities and effective and responsive social safety nets. PDP defines inclusive growth as "sustained growth that massively creates jobs, draws the vast majority into the economic and

social According to the PDP, the poor accounted for 26.5% of the population in 2009 (in 2013, poverty incidence declined to 24.9% per latest MDG report). The goal is to reduce poverty to 16.6% in 2015 through the various government plans and programs that seek, among others, to increase investment in human capital development and employment creation for both wage and self-employed. Investment in human capital focuses on qualitative development of human resources in terms of education, skills, health, etc., which increase the prospects of accessing productive employment, increasing productivity and income.

Supporting women's entrepreneurship

97. Improving the business environment and promoting the growth of micro, small and medium enterprises (MSMEs) is still one of the critical drivers of the economy. The Department of Trade and Industry (DTI) estimates that this sector contributes at least 60% of jobs created by all enterprises. MSMEs are often the only source of new employment and serve as a safety net, not only for the urban poor but also for rural women who have limited access to formal employment. About 4 of 10 Filipinos aged 18 to 64 years are engaged in business, and they constitute half of the Philippine labour force.

98. The Magna Carta for Micro, Small and Medium Enterprises (MSMEs) of 2008 aims to promote entrepreneurship and support the development of MSMEs. To support women's entrepreneurship, the Micro, Small and Medium Enterprise Development [MSMED] Plan 2011-2016 includes gender mainstreaming among its key themes to facilitate their access to productive resources for their enterprises. The Plan seeks to address some of the gender issues that hinder the growth of women's business, such as limited access to resources and capacity to sustain and upscale their business.

99. Another measure to support entrepreneurship is the program of DOLE called Kabuhayan (livelihood) Program, a capacity building facility and entrepreneurial ventures for workers in the informal economy and vulnerable groups of workers such as women, youth, parents of child labourers, indigenous people, persons with disabilities. From 2009-2013, 413,513 workers in the informal economy have benefited from the program, 27% (112,026) of them women.

Increasing employment opportunities

100. The State Party also implements programs to expand employment through employment facilitation for poor and marginalized unemployed and displaced workers in the rural areas across the regions, such as the Special Program for the Employment of Students (SPES), the conduct of job fairs, and employment facilitation services of Public Employment Service Offices (PESOs).

101. Job fairs are conducted all-year round, including the annual Labour Day Jobs Fairs. They bring jobseekers and domestic and overseas recruiters and employers under one roof at a specific time, date and place to reduce cost, time and effort of jobseekers. These also support the anti-illegal recruitment campaign by facilitating access to legitimate employers and licensed recruitment agencies. Employment information assistance such as training referrals, self-employment assistance as well as welfare services for Filipino migrant workers are also provided.

102. A network of PESOs nationwide also provides employment facilitation services for both women and men workers. PESOs are a non-fee charging multi-employment service facility that offers the following services: Job Fairs, Livelihood and Self-employment Bazaars, Special Credit Assistance for Placed Overseas Workers, employment of students and out-of-school youth, Work Appreciation Program, Workers Hiring for Infrastructure Projects. As of May 2013, a total of 1,835 PESOs were established all over the country.

Reintegration programs for returning OFWs

103. The State Party, through DOLE, launched the BalikPinay! Balik-Hanapbuhay! (Return Filipina! Return to Livelihood!) Project as a reintegration project for displaced overseas Filipino women workers. With a PhP 24 million budget ($571,000) allocation, the Project prioritized 2,400 women beneficiaries accessing short-period entrepreneurship training and job referrals including social protection services such as social security and health insurance.

104. The State Party likewise implements a Reintegration Program for OFW Returnees through the Overseas Workers Welfare Administration (OWWA). The program addresses the psycho-social and economic needs of both the OFW returnees and their families by organizing families of OFWs, providing business counselling, technology skills and entrepreneurship development training and providing economic packages to OFW.

Improving social safety nets and social protection

105. Social protection in the Philippines has been defined as "policies and programs that seek to reduce poverty and vulnerability to risks and enhance the social status and rights of the marginalized by promoting and protecting livelihood and employment, by protecting against hazards and sudden losses of income, and improving people's capacity to manage risks." The four components of social protection include (1) labour market programs; (2) social insurance; (3) social welfare; and, (3) social safety nets. Workers in the informal economy are considered as a distinct major category whose needs and concerns should be addressed by a package of intensified and strengthened social protection programs and services. In 2007, the State through DOLE developed the DOLE Framework for Women Workers, and came up with a vision of socially protected women workers by 2010. Its goals were: improved workplaces for women; better lives for women and their families; and women as active partners in the community.

106. The State Party, through the DSWD, employing a convergence strategy (TATSULO) to harmonize its core poverty reduction programs — the *Pantawid Pamilya* Program or the Conditional Cash Transfer (CCT) Program, the *Kapit-Bisig Laban sa Kahirapan* — Comprehensive and Integrated Delivery of Social Services Programs (KALAHI-CIDDS) recently transformed into the National Community Driven Development Program (NCDDP), and the Sustainable Livelihood Program to help address the root causes of migration. By identifying who and where the poor are, through the National Household Targeting System for Poverty Reduction (NHTS-PR), maximization of resources and the timely, effective and efficient delivery of services to the marginalized is viewed could be achieved.

107. The CCT is a rights-based program that focuses on human capital investment through provision of health and education cash grants to eligible poor households. It

seeks to enable poor households to meet certain human development goals aimed at breaking the intergenerational cycle of poverty. It provides cash grants to supplement the income of poor households to enable them to meet their needs subject to conditionalities:

For health and nutrition

- Pregnant women must have pre-natal and post-natal care by a skilled/trained health professional during childbirth;
- Children 0–5 years old must receive regular preventive health check-ups and vaccines;
- Children 0–14 years old must take deworming pills every 5 months.

For education

- Children 3–5 years old must attend day care at least 85% of the time;
- Children 6–18 years old must enrol in elementary or high school and attend at least 85% of the time.

Attendance at family development sessions

- Parents or guardians must attend responsible parenthood sessions, mother's classes, and parent effectiveness seminars at least once a month.

108. Poor households with children 0-18 years old (increased from 14 years in 2013 to enable them to complete secondary education) and pregnant or lactating women are eligible for the health transfer set at P500 (approximately $10) per household per month. The education transfer is P300 (approximately $6) per month, for 10 months per year (P3,000 or approximately $62 per year) for up to a maximum of three (3) children per family. As of December 2013, the program implementation geographically covers 1,484 municipalities, 143 cities and 79 provinces nationwide covering over 3,841,147 household beneficiaries 91.3% (3,505,703) of whom are women grantees.

109. The Program provides women additional income for the basic needs of the family, and has given them a degree of financial freedom from their husband. It has also led to an increase in the enrolment of children and the number of women getting prenatal and postnatal health care treatments, and enabled them to monitor their children's health and schooling. Women are also informed of their rights, about gender relations, child rearing and better communication through the family development sessions.

110. The KALAHI-CIDDS/NCDDP is a program that seeks to empower communities through enhanced participation in local governance and community projects of the community members, specifically the women. It seeks to make local governance processes and systems more participatory, transparent, and accountable. Community members identify their projects, prepare proposals and participate in or monitor their implementation to foster commitment, accountability and sustainability. Funds for approved projects are released through community project accounts maintained by community volunteers. Projects range from roads, drainage systems, day-care centres, health centres, post-harvest facilities, and water and sanitation projects.

111. As of January 2014, the KALAHI-CIDSS project has funded 4,243 community sub-projects amounting to Php 4.952 billion (more than $117 million) benefiting

959,368 households in 4,337 barangays. Beneficiaries of this program are both women and men. It has particularly increased their participation in the labour force, and in local decisions advancing development through responsive community projects and accountable governance.

112. The Sustainable Livelihood Program provides capacity building to improve the program participants' socio-economic status, executed through employing two tracks vis-a-vis strategies. First, it supports microenterprises to become organizationally and economically viable through a capacity building program that focuses on community development, skills enhancement, network building and capital assistance to poor families included in the National Household Targeting System for Poverty Reduction (NHTS-PR) list, prioritizing the CCT beneficiaries in order to improve their opportunities for managing a sustainable microenterprise. Second, it links participants to employment opportunities by providing assistance to unemployed poor families included in the NHTS-PR list, also prioritizing the CCT beneficiaries, who are provided with skills profiling, job matching, occupational guidance and counselling and job referrals.

113. As of January 2014 a total of **340,163** poor households were served from January 2011 to October 2013: **288,601** (94.74%) households are enrolled in the micro enterprise development track while **16,488** (5.40%) are under the employment facilitation track. The program has been benefitting both women and men contributing to eradication of poverty and hunger and gender equality and empowerment of women.

114. For social protection of women and their families, the State Party, through the Philippine Health Insurance Corporation (PhilHealth) developed a health benefit package in addressing access to and affordability of quality health care for women in the informal economy. PhilHealth approved the implementation of the partial subsidy scheme for the coverage of women micro-entrepreneurs (WMEs), small self-employed and other low-income workers of the informal economy.

Capacity development and vocational education

115. The State Party, through its concerned agencies, provides capability-building services leading to employment or entrepreneurship for both women and men. Through its Women's Centre, the Technical Education and Skills Development Authority (TESDA) addresses vocational/technical training needs of women, particularly in traditionally male-dominated courses. Females have slowly outnumbered male enrolees in certain courses, expanding their employment opportunities in such jobs as welding, refrigeration and automotive repair. More and more, women are also enrolled in non-school based settings or community-based training, a strategy that allows women greater flexibility to attend training.

116. The Gender Responsive Economic Actions for the Transformation of Women (GREAT Women Project) supported by the Canadian Government is a project on the promotion of gender-responsive governance and women's microenterprise development. The project fostered gender-responsive enabling environments for women's economic empowerment at the national and local levels, including capacity-building initiatives for women micro-entrepreneurs. A *GREAT Women* brand was created with the assistance of a social enterprise group. This is a flagship brand for products of women micro-entrepreneurs who went through training in product development, packaging, and the like, and whose products passed a series

of quality tests and are now being sold commercially. (*Please see Annex 3. Brief on the GREAT Women Project*)

On financial support to NGOs that run shelters and drop-in centres for the rehabilitation of women and girls in prostitution

117. While it recognizes their work and contributions to development efforts, the State Party is proscribed by its laws to use private funds for private purposes, and hence, it cannot provide direct financial support to NGOs that run shelters and drop-in centres. Nevertheless, the State Party offers benefits and privileges alongside meeting set standards through registration, licensing and accreditation, to NGOs engaged in social welfare and development activities, i.e. run shelters and drop-in centres, referred as Social Welfare Development Agencies (SWDAs). Examples of these benefits and privileges include inclusion in the DSWD's Registry of Registered, Licensed and/or Accredited SWDAs, technical assistance on the programs and services implementation.

On accelerating women's political participation

118. Section 11 of the MCW which provides that "the State shall undertake temporary special measures to accelerate the participation and equitable representation of women... in decision-making and policy-making processes." To implement this provision, the Commission on Elections (COMELEC) is mandated to incorporate in its accreditation of political parties, including party-list organizations, specific provisions that promote integration of women in the leadership hierarchy, internal policy-making structures, and appointive and electoral nominating process of said parties. Political parties are urged to create programs where their members can advocate on matters of policy and women members can participate meaningfully within the party.

119. For the bureaucracy, MCW targets a 50-50 distribution among men and women in 3rd level managerial positions covering Assistant Bureau Director up to Undersecretary. For women's participation at the local level, the law provides that they should comprise at least 40% of membership in local development councils. It also stipulates that women should be provided equal opportunity, on equal terms with men, to represent the government at the international level and in the work of international organizations.

120. Supporting women's participation in local governance is incorporated in the guidelines issued to localize the MCW which states that "LGUs shall ensure active participation of local committees/councils in partnership with national/regional government agencies, academe, private sector and civil society organizations (CSOs) operating at the local level for effective gender mainstreaming."

121. In the present Congress (2013), women occupy 6 of the 24 senatorial seats (25%) and about the same percentage (25.64%) of the congressional seats. At the local level, there is an increase in percentage of women Provincial Governors, from 15.4% in 1998 to 22.5% in 2013. At the municipal level, the number of women mayors is increasing, from 15.26% in 2004 to 20.86% in 2013.

122. In the Philippine Congress, a party list organization of women, Gabriela Women's Party, has been successful in staying in Congress in the past four election periods. Gabriela has been pushing for gender responsive laws, including the bill on divorce.

123. As of 2013, the targeted 50-50 in the bureaucracy is short by 5 percentage points with 45% of third level positions occupied by women. However, the President has appointed women to important cabinet or highly critical positions in government, beginning with the Chief Justice of the Supreme Court, the Secretary of the DOJ, the Chairperson of the CHRP and the Ombudsman, all important in dispensing justice for women. Also in the Cabinet are women secretaries of the DOLE, the Presidential Adviser on the Peace Process and the head of the Government Panel for Peace Negotiation, the DSWD, the CHED and the CFO. While not secretary level, the President has also appointed women to important posts, like the head of the Bureau of Internal Revenue and the Pag-Ibig Fund (housing fund). Women's participation in the diplomatic service is also improving. Between 2002 and 2010, the percentage of women in key posts (Ambassador and Consul General) rose from 28% to 35%.

124. In terms of women's representation in local special bodies, the figures are also encouraging, particularly with the increasing awareness of government on the provisions of the MCW. Women form 48% of local school boards, 50% of local health boards, 30% of local peace and order councils, 31% of local housing boards, but a low 16% of local development councils.

125. Women NGOs' participation in the anti-poverty agenda of the government is institutionalized through the National Anti-Poverty Commission (NAPC). NAPC is composed of lead government agencies and 14 basic sectoral councils — peasant and fisherfolk, formal labour, informal sector, migrant workers, urban poor, indigenous peoples, people with disabilities, senior citizens, women, youth and students, children, victims of disasters and calamities, etc. Aside from the 30% participation of women in each of the sectoral councils, there is a women's sectoral council that is 100% women. These women sectoral council representatives and the women in the other basic sectoral councils have been trained on the MCW to ensure that gender perspectives and women's rights are included in all the basic sectoral councils' agenda. The members assist in monitoring the MCW at the local level and participate in local decision-making.

On women's access to reproductive health services

Policy initiatives for women's reproductive health and rights

126. MCW mandates comprehensive women's health services and health information and education covering all stages of a woman's life cycle. It mandates concerned government agencies and local government units to ensure comprehensive, culture sensitive and gender responsive health programs as well as appropriate, timely, complete and accurate health information and education.

127. Prior to the enactment of the RPRH Law, the government issued the policy on Implementing Health Reforms to Rapidly Reduce Maternal and Newborn Mortality. The policy calls for planned and wanted pregnancies and facility based deliveries, towards substantial reductions in maternal mortality ratios and under-five mortality by 2015.

128. Another important health policy is contained in R.A. 10028 or the "Expanded Breastfeeding Promotion Act of 2009" which amended RA 7600 or the "Rooming-in and Breastfeeding Act of 1992." The law adopts a national policy to encourage, protect and support the practice of breastfeeding focused on the setting up and

establishment of lactation stations in the workplace and provide compensable time for breastfeeding and lactation periods.

129. As earlier noted, a number of local government units already have their own reproductive health codes prior to the enactment of MCW and the RPRH law. To date, there are thirty (30) local government units in the country with reproductive health codes or ordinances. Other LGUs provide for reproductive health needs of their women constituents through their local GAD Codes.

130. For the Muslim community, a joint effort by international development agencies, the national government and local government units, in partnership with Muslim religious groups resulted to the issuance of a fatwa, or a religious decree which states that family planning protects the rights of women and children. The fatwa also allows the use of family planning methods as accorded by the Islamic sharia and approved by a credible physician — preferably Muslim. The ARMM enacted its Reproductive Health Care Act of 2012 (Muslim Mindanao Autonomy Act No. 2921) which seeks to protect the rights and welfare of women and children, by not only requiring the autonomous government to carry out programs on family planning and ensure that information about these programs are available to the poor, but also by providing funds to carry out these programs. The Act guarantees freedom of information not only on natural but also on artificial family planning methods, respect freedom of choice and beliefs in achieving reproductive health rights.

The passage of the RPRH Law

131. The Philippine legislature finally passed the Responsible Parenthood and Reproductive Health Act of 2012 (RPRH Law) which guarantees universal access to reproductive health care including all methods of contraception, sexuality and reproductive health education, maternal, infant, and child health and nutrition, among others. The law seeks to address problems on the delivery of reproductive health services. Implementation is a of the RPRH law is one of the main responsibilities of the Health Department via Centres for Health Development (CHD) and in coordination with local government units through the Service Delivery Network (SDN) that includes public health institutions and private health service providers. Financing the delivery of RH services, including the gender and development budget, shall come from the general annual appropriations The PhilHealth has been tasked to come up with guidelines for financing RH care, including benefits for serious and life-threatening RH conditions, such as HIV/AIDS, breast and reproductive tract cancers. On 8 April 2014, the Supreme Court declared the RH law not unconstitutional but it removed some provisions such as those punishing private health facilities that refuse to support the law.

132. In addition to comprehensive health services and information, the PPRH law stressed the importance of health and sexuality education, age appropriate core messages and strategies which should be integrated in health education programs of both basic and tertiary education, and requires health information providers to go through necessary training and capacity development programs.

Measures to support reproductive health objectives

133. The State Party, through the DOH implements the Maternal, Newborn, and Child Health and Nutrition Strategy (MNCHN) strategy which guides the development, implementation and evaluation of various programs aimed at women,

mothers and children, with the ultimate goal of reducing maternal and neonatal mortality. Community Health Teams led by a nurse or a midwife are organized to provide the appropriate MNCHN and vigorously campaign for proper birth spacing, complete required antenatal care visits, facility based deliveries, provide postpartum and postnatal care, and ensure smooth transitions to other health care packages for women and children. The integrated MNCHN services consist of clinical and public health interventions for women and children that are delivered through a life cycle approach.

134. Among the DOH programs are the National Safe Motherhood Program, National Family Planning Program, and Adolescent and Youth Health Program. The National Safe Motherhood Program is focused on making pregnancy and childbirth safer and in changing fundamental societal dynamics that influence decision making on matters related to pregnancy and childbirth while it brings quality emergency obstetrics and newborn care to the 252 tertiary and secondary level facilities and 1,824 primary level facilities that are nearest to homes. This move ensures that those most in need of quality health care have easy access to such care. The Program has achieved 65% of its targets on antenatal care, facility based delivery and post-natal care as of December 2012. The shortfall in reaching 100% achievement of the targets was attributed to procurement and other factors related to LGU structures and priorities.

135. Basic and Comprehensive Emergency Maternal Obstetric and Newborn Care (BEmONC and CEmONC) trainings are provided to doctors and midwives in health facilities designated to provide emergency obstetrics and newborn care.

136. Abortion is not allowed under Philippine laws. Nevertheless the RPRH law mandates a range of reproductive health services addressing prevention and management of post abortion complications which may benefit those women who have unsafe abortions and who seek medical treatment because of complications. The Implementing Rules and Regulations (IRR) of the RPRH specifies that "while these Rules recognize abortion is illegal and punishable by law, the government shall ensure that all women needing care for post abortive complications and all other complications arising from pregnancy, labour and delivery and related issues shall be treated and counselled in a humane, non-judgmental and compassionate manner in accordance with law medical ethics."

137. The State Party's health thrust is Universal Health Care (UHC) or the *Kalusugan Pangkalahatan* (*KP*) which seeks to ensure equitable access to affordable and quality health care by all especially the poor. It seeks to reduce financial burden through universal social health insurance coverage of the poor, health facility enhancement to ensure better access to hospitals and primary level facilities providing high quality services, and attainment of the health-related MDGs. Government targets 100% subsidized enrolment of poor families to the PhilHealth Sponsored Program.

138. The State Party, through PhilHealth, also introduced the Partial Subsidy Scheme for the poor in 2011, which allows the sharing of annual contribution between the local government units, simplified the process of especially for those from far-flung and rural areas, expanded medical benefits, and made women the priority in enrolment. The primary bearer of the PhilHealth card of the family is now the woman.

139. PhilHealth provides Maternity Care Package for normal and caesarean deliveries which include prenatal and postnatal care services. Babies of members are also assured of the Newborn Care Package (NCP) provided for in accredited hospitals and lying-in clinics which include physical examination, eye prophylaxis, Vitamin K administration, BCG vaccination, first dose of Hepatitis B immunization, newborn screening tests, and breastfeeding advice for their mothers. It offers full reimbursement for bilateral tubal ligation and No-Scalpel Vasectomy (NSV) procedures performed in accredited facilities, accreditation requirements for which were made less restrictive by Department of Health (DOH) in 2005.

140. The CCT Program discussed earlier is an investment in the health and education of poor households. Conditionalities include prenatal and postnatal care visit for pregnant women, cash grant for health and nutrition and school expenses and attendance to Family Development Sessions (FDS), which include topics on family planning, marital and gender relations, child rearing and youth development. The institutionalization of said grant has increased the number of women getting prenatal and postnatal health care treatments based on an impact evaluation conducted by the World Bank released on 23 January 2013.

141. Recognizing the importance of men's participation in promoting their own and women's reproductive health, the State issued the *National Policy and Strategic Framework on Male Involvement in Reproductive Health*. The guidelines on Maternal and Child Health were revised to further support men's involvement in maternal and child health care and explicitly make links to FP opportunities during the prenatal period (Clark, et.al. 2007).

On measures to address teenage sexual and reproductive health

142. The results of the 2013 Young Adult Fertility and Sexuality Study (YAFS4) show that the number of young mothers has more than doubled over the past decade. From 6.3% in the 2002 survey, the percentage of girls aged 15-19 who became mothers rose to 13.6%, or about 700,000 young women in this age group. Researchers attribute the alarming increase to the prevalence of premarital sex among young adults. Approximately 32% of the 19.2 million, or 1 in 3 youth have already engaged in premarital sex, compared to 23.2% in 2002 and 17.8% in 1994. Another disturbing finding was that 78% of the first instance of premarital sex was unprotected both against pregnancy and against sexually transmitted infections.

143. The RPRH Law and the MCW stipulate family and State collaboration on youth sexuality and health services, including information and education campaigns and integrating sexuality and health education in the school curriculum. Policy and program interventions mandated of government, academe, NGOs and LGUs include, among others: (a) the formulation of standards and development of information, education and advocacy programs; (b) teaching of age-appropriate adolescent health and sexuality education by trained educators in both public and private schools; (c) the establishment of teen centres that will provide health and sexuality education and counselling; and, (d) the formulation and implementation of gender-responsive, rights-based and culture sensitive local ordinances and policies that promote the comprehensive health of girls, adolescents, women and elderly women.

144. The State Party, through the DOH, as early as 2001, has put in place its Adolescent Health and Youth Program (AYHP) to address the health concerns faced by young people aged 10-24, among which are teenage pregnancy and young

maternal deaths. The program develops policy and standards in the development of adolescent friendly health services to be integrated in the health system. In March 2013, a new policy was issued to fill the gaps like clear directives to LGUs, management of adolescents in emergency settings, monitoring and evaluation mechanism, and the roles of various agencies. It likewise focused on ages 10-19 years to be responsive to the new and emerging issues of the Filipino adolescents. Another effort is the competency training of health care providers in the management of adolescents. Peer health educators in schools and leaders for health and health advocates of out-of-school adolescents were also formed to improve accessibility and availability of quality health services for young people. A strategy initiated to address adolescent health is the creation of the Task Force *Batang Ina* (Child Mothers) Consortium, a platform for discussion on adolescent and sexual and reproductive health and rights, composed of government, academe and civil society organizations.

145. The State Part also conducted a series of Comprehensive Sexuality Education (CSE) Workshops were conducted to develop a unified framework of comprehensive sexuality education that is age, developmentally and culturally appropriate to the Philippines. The CSE consultations sought to promote evidence-based experiences on the impact of sexuality education among young people and discussed challenges faced by educators in different contexts and issues like teen pregnancies, HIV transmission, sexual and other forms of violence, human trafficking, stigma and discrimination and access to adolescent reproductive health information and services.

On legislation on divorce

146. Divorce is still not allowed under Philippine laws. The recourse for married couples to end their marriage is through legal separation or through a declaration of nullity and annulment of marriage, as provided under the State Party's Family Code. The Family Code also allows the Philippine nationals to remarry should his or her alien spouse obtained a divorce that capacitated that alien spouse to remarry.

147. The Integrated Bar of the Philippines (IBP), the University of the Philippines (UP) Law Centre, the Ateneo Human Rights Centre (AHRC), and the Public Attorneys' Office (PAO), among others, offer free legal services for couples who opt to go through the Family Code sanctioned annulment of marriage.

148. A bill legalizing divorce that was filed in the 15th Congress by Gabriela Women's Party (HB 1799) did not pass but was re-filed under the 16th Congress. Under the proposed legislation, grounds for divorce are premised on the irreparable breakdown of the marriage and the total non-performance of marital obligations.

149. Members of Congress and the Senate are divided on the issue of divorce.

On rural, indigenous and Muslim women

150. The MCW prioritizes marginalized groups of women and children, such as rural and indigenous women and Muslim women. The law promotes the rights of rural women to productive resources and the provision of basic services on health, education, housing, etc. to fulfil their human development needs. It emphasizes that equal status should be given to women and men, whether married or not, in the

titling of land, issuance of stewardship contracts, emancipation patents, and certificates of land ownership.

151. The Indigenous Peoples' Rights Act or IPRA Law of 1997 (RA 8371) provides that "women shall enjoy equal rights and opportunities with men, as regards the social, economic, political and cultural spheres of life. The participation of indigenous women in the decision-making process in all levels, as well as in the development of society, shall be given due respect and recognition. The State shall provide full access to education, maternal and child care, health and nutrition, and housing services to indigenous women. Vocational, technical, professional and other forms of training shall be provided to enable these women to fully participate in all aspects of social life. As far as possible, the State shall ensure that indigenous women have access to all services in their own languages."

152. The State Party has been focusing recently on the ARMM, home to predominantly Muslim communities and many indigenous groups. Among all the regions in the Philippines, ARMM has been registering the lowest ratings in the socioeconomic indicators. With the Comprehensive Agreement on the Bangsamoro in place, the State Party looks forward end the armed conflict and to bringing more development interventions to enable the region to catch up with the rest of the country. A flagship program along this line is the PAMANA (*Payapa at Masaganang Pamayanan* or Peaceful and Resilient Communities) program, which is the national government's peace and development framework for empowering conflict-affected areas in the country. Outside of ARMM, the program is implemented in 6 other areas in the Philippines. Its main objectives are to increase livelihood and job opportunities, strengthen capacities of LGUs to pursue local peace and development programs, ensure transparency and accountability and enable greater community participation in the pursuit of peace and development. In 2013, DOH-ARMM reported that 45,659 women were given pre-natal visits, 36,876 post-pregnancy visits and 14,179 infants went through newborn screening. Beneficiaries of the CCT program numbered 389,656 in ARMM.

153. The regional ARMM Government also launched its Health, Education, Livelihood, Peace, and Governance and Synergy (HELPS) program for more coordinated and focused and targeted interventions at the local level. With the outpouring of support for development in ARMM and the strong drive for good governance, the State Party is hopeful that this program will contribute to the improvement of the socioeconomic conditions in the area. PCW has been providing technical assistance to the Regional Commission on Bangsamoro Women (RCBW), its counterpart machinery in ARMM, on gender mainstreaming to strengthen its competency to perform its function of promoting and monitoring gender responsive programming and implementation in ARMM.

154. An NGO initiative focusing on literacy problem in Muslim Mindanao is that of the Magbassa Kita Foundation Incorporated. The Foundation started Literacy for Peace and Development Project (LIPAD) in 2010 in response to the findings of the Functional Literacy and Mass Media Survey conducted every five years by the National Statistics Office that showed ARMM registering the lowest literacy rates in two consecutive survey periods – 2003 and 2008. The project aimed to graduate at least 62,500 adult neo-literates until 2013. Also, it aimed to reinforce peace and development efforts by incorporating peace and development themes in its curriculum. Recently, it also integrated gender related core messages, such as those

pertaining to human rights of women. LIPAD plans to deploy 1,250 literacy facilitators across the region. It produced literacy materials and translated these in the five major dialects in the region. As of April 2013, LIPAD has graduated an estimated 46,000 adult neo-literates in over 42 municipalities and 619 barangays in ARMM.

155. For rural women in general, the State Party has been implementing a number of programs primarily to increase their access to resources for livelihood, education, health, leadership opportunities. Various government agencies address sectors of rural women according to their mandate. Their interventions include training on technologies (production, postharvest, processing, etc.); farm inputs (fertilizers, seeds and planting materials); loans/credit; and market assistance facilitated by local governments for farmers, fisherfolk and groups of community women, such as the Rural Improvement Clubs (RICs) and other Rural-Based Organizations (RBOs).

156. To strengthen the tenurial status of the agrarian reform beneficiaries (ARBs), Guidelines governing Gender Equality in the implementation of Agrarian Reform Laws and mainstreaming Gender and Development was issued the Department of Agrarian Reform (DAR). This Guidelines guarantees equal rights of both spouses and common-law partners in the process of identification, screening, and selection of agrarian reform beneficiaries. In order to recognize the rights of farmer spouses, names of both spouses are inscribed in the Emancipation Parent/Certificate of Land Ownership Award (EP/CLOA) shall be preceded by the word 'spouses'. In case of common-law relationship, names of both parties are likewise written in the EP/CLOA with the conjunctive word "and" between their names. The policy also aims to strengthen and develop enabling mechanisms, programs, policies, systems and procedures towards gender responsive implementation of agrarian laws.

157. The amended Comprehensive Agrarian Reform Program, entitled Comprehensive Agrarian Reform Program Extension with Reform (CARPER) or RA 9700 gives the highest consideration to the welfare of the landless farmers and farm workers. It recognizes the rights of rural women to own and control land, and guarantees substantive equality between men and women as qualified to own directly or collectively the lands they till or to receive a just share of the fruits thereof. To support rural enterprises, the State Party, through the Department of Trade and Industry (DTI) and other government agencies, implement rural micro enterprise programs, majority of beneficiaries of which are women micro-entrepreneurs.

158. Another program of the State Party for rural workers is the Social Amelioration Program (SAP) which strengthens the rights of workers in the sugar industry to their just share in the fruits of production and provides additional monetary and welfare benefits to sugar workers to enable them and their families to enjoy a decent living. It includes a cash bonus distribution program which is supported by the 80% portion of the lien which is distributed as cash bonus to mill and plantation workers, the sugar workers maternity benefit program which provides financial assistance to all female sugar workers, the death benefits program and the socio-economic projects or livelihood program for workers.

Participation in local governance and decision-making bodies

159. Women's participation in local decision-making is one of the concerns of the MCW. The law provides that 40% of local special bodies should be represented by

women. This representation is being extended into sector-specific local councils. For instance, the National Fisheries and Aquatic Resources Management Council, included 129 female officers (20%) as representatives of the fisherfolk. Women also comprise 43% of agrarian reform organizations and are also present in local agricultural and fisheries councils. There is also a National Coalition of Rural Women (*Pambansang Koalisyon ng Kababaihan sa Kanayunan* or PKKK) consisting of organizations and federations of associations of women peasant, fisherfolk, farm workers, and indigenous peoples; including rural women in the sectors of informal labour, elderly, youth, and persons with disabilities; and NGOs. It advocates for action to address the needs of rural, indigenous and Muslim women.

160. More than one quarter (27%) of the 1,143,914 agrarian reform beneficiaries as of December 2010 are women. Rural women availed almost half of the total agricultural credit from the government Quedan and Rural Credit Guarantee Corporation (QUEDANCOR). Women agrarian reform beneficiaries have also been accessing agricultural and micro-finance credit services.

On CEDAW and the MDGs

161. The integration of gender equality and women's empowerment concerns across all the MDG targets and for the expansion of the list of gender indicators to Goal 3 (gender equality) has always been advocated by the State Party, through the PCW and other government agencies. As a result, there is greater consciousness of the gender dimension of each MDG goal and its corresponding indicators, with more attention to the needs and concerns of women and girl children in the implementation of the education, poverty eradication, health and the environment objectives. In the periodic MDG reports, VAW indicators are discussed under MDG3.

On disseminating the concluding comments

162. Following the receipt of the Concluding Comments to the 5th and 6th Progress Report in 2006, the State Party launched forums and conferences, including in the regions on the Committee's comments. These were reproduced and translated in 6 regional languages. (*Please see Annex 4 on the materials produced on the concluding comments.*)

163. UN-Women published "Going CEDAW in the Philippines," a 200-page documentation of government and NGO's convergent efforts to implement CEDAW produced by the Women's Feature Service (WFS). Copies were distributed to the media, lawmakers and various organizations and individuals. WFS also produced 14 stories on the South-East Asian experience in implementing CEDAW, five of which were picked up by the national media and three were posted on the UNIFEM website.

164. Exhibits with the concluding comments on tarpaulin stands were held in shopping malls and these also travelled in schools and different government agencies and events. NGOs together with government collaborated to work on these concluding comments.